

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In re:

Case No. 9:14-bk-01933-FMD
Chapter 7

SEAN W. HASSETT and
SUSAN P. HASSETT,

Debtors.

_____ /

MOTION FOR PAYMENT OF UNCLAIMED FUNDS

COME NOW the Debtors, SEAN W. HASSETT and SUSAN P. HASSETT, by and through their undersigned counsel and pursuant to 28 U.S.C. § 2042, and respectfully move this Court to enter an order directing payment of unclaimed funds now on deposit in the Registry of the United States Bankruptcy Court. Claimants are Debtors in the above-captioned bankruptcy case and on whose behalf funds were deposited. Claimants have a right to claim said funds and in support thereof state as follows:

1. The Debtors filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on February 24, 2014.
2. The Debtors case was converted to Chapter 7 on November 3, 2014.
3. Since the Debtors Chapter 13 Plan was never confirmed, the Chapter 13 Trustee sent a check to the Debtors in the amount of \$9,491.27 upon conversion for the funds they paid under the Plan which were not yet disbursed to creditors.
4. The Debtors failed to cash the check before it expired.
5. In March 2015, the Chapter 13 Trustee sent the funds to the Registry of the Court.

Name of Claimants: Sean W. Hassett and Susan P. Hassett

Mailing Address: 17121 Primavera Circle

City: Cape Coral State: FL Zip Code: 33909

Telephone Number: Cell: 239-229-7189 Work: 239-334-2371

Last Four Digits of SS# or Tax ID Number: 4899 and 6816

Amount of Claim: \$9,491.27

6. Claimants certify under penalty of perjury that all statements made by Claimants in this Motion and any attachments required for this Motion are, to the best of Claimants' knowledge, true and correct.

WHEREFORE, the Claimants/Debtors respectfully request that this Honorable Court enter an Order: (a) granting the Motion; (b) authorizing payment of the dividend due upon this claim; and (c) granting such other and further relief as the Court deems necessary and just.

/s/ Sean W. Hassett
SEAN W. HASSETT, Claimant

/s/ Susan P. Hassett
SUSAN P. HASSETT, Claimant

STATE OF FLORIDA
COUNTY OF LEE

Before me personally appeared SEAN W. HASSETT and SUSAN P. HASSETT, this 9th day of December, 2015, and produced Florida Driver's Licenses as valid identification or are personally known to me and having taken an oath, stated that they have read the foregoing Motion and that the contents thereof are true and correct to the best of their knowledge and belief.

/s/ Pamela M. Koper
Notary Public

(SEAL)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished electronically or by U.S. Mail on this 10th day of December, 2015 to:

- 1) Sean & Susan Hassett, 17121 Primavera Circle, Cape Coral, FL 33909
- 2) Diane L. Jensen, Esq., P.O. Drawer 1507, Fort Myers, FL 33902-1507
- 3) U.S. Trustee, Timberlake Annex, Suite 1200, 501 E Polk Street, Tampa, FL 33602
- 4) U.S. Attorney, Attn: Civil Procedures Clerk, 400 North Tampa Street, Suite 3200, Tampa, FL 33602

/s/ Robert E. Tardif, Jr.

Robert E. Tardif Jr., Esquire
Florida Bar No. 818704
Post Office Box 2140
Fort Myers, Florida 33902
Telephone: 239/362-2755
Facsimile: 239/362-2756
Email: rtardif@comcast.net

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
H230-799- [REDACTED]

SEAN WILLIAM
HASSETT
17121 PRIMAVERA CIR
CAPE CORAL FL 33909-3026
DOB: [REDACTED] SEX: M
ISSUED: 10-03-2012 HGT: 5-08
EXPIRES: 04-12-2020
REST: [REDACTED]
ENDORSE: [REDACTED]

Sean Hassett
ORGAN DONOR

SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.

Florida *The Sunshine State*
DRIVER LICENSE CLASS E
H230-795- [REDACTED]

SUSAN PFLAUMER
HASSETT
17121 PRIMAVERA CIR
CAPE CORAL FL 33909-3026
DOB: [REDACTED] SEX: F
ISSUED: 01-26-2010 HGT: 5-02
EXPIRES: 02-07-2018
REST: A
ENDORSE: [REDACTED]

Susan Hassett
ORGAN DONOR

SAFE DRIVER
Operation of a motor vehicle constitutes consent to any sobriety test required by law.